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VIA ECF

The Honorable Sarah L. Cave
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 18A
New York, NY 10007-1312

Re: *Flynn et al v. Cable News Network, Inc.*, No. 1:21-cv-02587-GHW-SLC

Dear Judge Cave:


We represent Defendant Cable News Network (“CNN”) and we write to request, that at the conference scheduled for February 21, 2023, the parties discuss the expert discovery deadline in this action. Plaintiffs’ counsel recently claimed in the parallel litigation in the Middle District of Florida that the expert discovery deadline in this action has passed. But CNN believes that is not the case. Instead, we understood the court to extend that deadline when, at the November 23, 2022 hearing, the Court stated: “We’ll figure out like a reasonable day of the week [the week of April 15] for the extension of fact discovery deadline, and *we’ll move everything else accordingly.*” Tr. at 54:19-23 (emphasis added).

Defendant respectfully requests to be heard on this issue at the upcoming February 21 Discovery Conference and that the Court set a new deadline for expert discovery.

Thank you for your consideration.

Respectfully Submitted,

Davis Wright Tremaine LLP


Katherine M. Bolger